

**AN ORDINANCE  
BY COUNCILMEMBER CLETA WINSLOW**

**06-0 -2584**

**AN ORDINANCE TO AMEND ORDINANCE  
04-O-1570, ESTABLISHING THE "PITTSBURGH  
REDEVELOPMENT HOUSING ENTERPRISE  
ZONE," BY ESTABLISHING A NEW EFFECTIVE  
DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, by local constitutional amendment, approved by referendum in November 1982, the City of Atlanta and Fulton County were authorized to create urban enterprise zones; and

**WHEREAS**, the City of Atlanta/Fulton County Urban Enterprise Zone Act was authorized by the Georgia General Assembly in 1983 (1983 GA. LAWS p. 4097, *et seq.*), and has subsequently been amended from time to time (particularly 1988 GA. LAWS p. 4164, *et seq.* and 1998 GA. LAWS p. 4493, *et seq.*); and

**WHEREAS**, the purpose of the City of Atlanta's Urban Enterprise Zone Program is to encourage private development and redevelopment in areas of the City or on sites which otherwise would be unlikely to be developed due to the existence of certain characteristics of the area or site; and

**WHEREAS**, owners of certain types of property may receive abatements of ad valorem taxes on new development, rehabilitation, and certain inventories over the life of the Urban Enterprise Zone designation, provided that certain conditions are met; and

**WHEREAS**, the Pittsburgh Redevelopment Housing Enterprise Zone was so designated by the City of Atlanta by Ordinance 03-O-0553, adopted by the City Council on July 7, 2003 and approved by the Mayor on July 12, 2003, to become effective on January 1, 2004 and to expire on December 31, 2013; and

**WHEREAS**, pursuant to 1999 GA. LAWS p. 3709 (H.B. 483), the City of Atlanta Urban Enterprise Zone Act was amended to permit the City Council to change the effective date of creation for an existing enterprise zone if that zone has remained undeveloped as a result of unanticipated development impediments; and

**WHEREAS**, in light of such development impediments the Atlanta City Council changed the effective date of the Pittsburgh Redevelopment Housing Enterprise Zone from January 1, 2004 to January 1, 2005 by Ordinance 04-O-1570, adopted on October 18, 2004 and approved by the Mayor on October 20, 2004; and

**WHEREAS**, Capitol Development Group, LLC, the Owner of the Pittsburgh Redevelopment, located at 455 Rockwell Street, Atlanta, Georgia 30310, has formally

requested that the effective date of the Pittsburgh Redevelopment Housing Enterprise Zone be changed until such time as a final certificate of occupancy is issued; and

**WHEREAS,** the Pittsburgh Redevelopment Housing Enterprise Zone is composed of approximately 10.1 acres and will consist of two phases, 220 multi-family apartments and 150 apartment homes for senior citizens, 65% of which will be affordable; and

**WHEREAS,** the Pittsburgh Redevelopment Housing Enterprise Zone has encountered unanticipated development impediments including restraints on demolition of HUD-financed structures, the discover of previously undetected asbestos, and the discovery of an old, unmapped City sewer line on the property; and

**WHEREAS,** in the determination of the City Council, a reasonable basis exists upon which to change the effective date of creation for this existing enterprise zone.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:**

**SECTION ONE:** That the Pittsburgh Redevelopment Housing Enterprise Zone designated by the City of Atlanta by Ordinance 03-O-0553, adopted by the City Council on July 7, 2003 and approved by the Mayor on July 12, 2003, as amended by Ordinance 04-O-1570, adopted by the City Council on October 18, 2004 and approved by the Mayor on October 20, 2004, be further amended by this Ordinance.

**SECTION TWO:** That in accordance with Georgia law and because the zone has remained undeveloped as a result of unanticipated development impediments, the effective date of all exemptions for the Pittsburgh Redevelopment Housing Enterprise Zone shall be January 1<sup>st</sup> of the year in which the final certificate of occupancy is issued by the City of Atlanta. The Pittsburgh Redevelopment Housing Enterprise Zone shall be abolished exactly 10 years after the effective date. The Pittsburgh Redevelopment Housing Enterprise Zone shall otherwise not be abolished except as provided in Georgia law.

**SECTION THREE:** That immediately upon its approval by the Mayor, the Municipal Clerk is hereby directed to transmit copies of this Ordinance to the Fulton County Tax Commissioner, to the Commissioner of the Georgia Department of Community Affairs, and to the Superintendent of the Atlanta Public Schools.

**SECTION FOUR:** That to the extent the provisions of Ordinance 04-O-1570, or any other ordinances are in conflict herewith, this ordinance shall control for this instance only.